



IFW RECEIPT.

Docket No.: WBW-12984

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

By: *Kerry P. Sisselman*

Date: March 7, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Ernst Hesse et al.	Confirmation No.:	3217
Appl. No.	:	10/530,969		
PCT No.	:	PCT/AT03/00306		
Filed	:	April 11, 2005		
Title	:	Pharmaceutical preparation, which can be administered nasally, and the production thereof		
Art Unit	:	1614		

REQUEST FOR FILING RECEIPT CORRECTION

Hon. Commissioner of Patents and Trademarks,
Washington, D.C. 20231

Sir:

Undersigned counsel has received the filing receipt for the above-identified application.

However, the filing date is incorrect and should be as follows:

April 11, 2005

Enclosed are copies of the postcard with the Patent Office stamp, Express Mail certificate, and transmittal letter, all showing the filing of the present application on April 11, 2005.

The title is incorrect and should be as follows:

Pharmaceutical preparation, which can be administered nasally, and the production thereof

It is respectfully requested that the Patent Office records be changed and that a new filing receipt be issued, so that the printed patent will show the correct filing date and title.

Respectfully submitted,

Kerry P. Sisselman

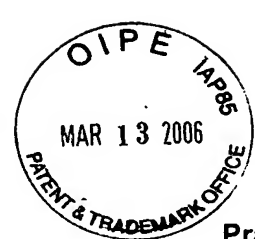
Kerry P. Sisselman
REG NO. 37,237

Enclosed: Copy of the Filing Receipt
Copy of Express Mail Slip

Copy of the returned Serial No. Postcard
Copy of the Transmittal Letter

Lerner Greenberg Steiner LLP
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101 /mjb

BEST AVAILABLE COPY



Practitioner's Docket No.: WBW-12984

CHAPTER II

"Express Mail" mailing label number EV 577604704 US
Date of Deposit April 11, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

MICHAEL BURNS

**TRANSMITTAL LETTER
TO THE UNITED STATES ELECTED OFFICE (EO/US)
(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)**

INTERNATIONAL APPLICATION NO.
PCT/AT2003/000306

INTERNATIONAL FILING DATE
October 9, 2003

PRIORITY DATE
October 10, 2002

TITLE OF INVENTION

PHARMACEUTICAL PREPARATION, WHICH CAN BE ADMINISTERED NASALLY, AND
THE PRODUCTION THEREOF

APPLICANT
Hesse, Ernst et al.

**Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTENTION: EO/US**

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. 371:
 - a. ☒ This express request to immediately begin national examination procedures (35 U.S.C. 371(f)).
 - b. ☒ The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees (37 C.F.R. § 1.492) as indicated below:

BEST AVAILABLE COPY



EV 577604704 US

Customer Copy
Label 11-F, April 2004

UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL SERVICE USE ONLY)

ZIP Code 33022	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Dst Day	Postage \$
Date Accepted 11/15	Scheduled Date of Delivery Month 11 Day 15	Return Receipt Fee \$
Time Accepted 5:21 PM	Scheduled Time of Delivery <input type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee \$
Flat Rate <input type="checkbox"/> or Weight 3 lbs 7 oz	Int'l Alpha Country Code	Insurance Fee \$
		Total Postage & Fees \$ 21.05
		Acceptance Employee Initials TR

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day			
Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day			
Delivery Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day			
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Mail Only) - Waiver of signature is void if waiver of signature is requested. I wish delivery without obtaining signature of addressee or addressee's agent (if delivery employee judges that article cannot be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.			
NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday			
Customer Signature			

CUSTOMER USE ONLY

METHOD OF PAYMENT:
Express Mail Corporate Acct. No.Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE ()

LENNER & GREENBERG
PO BOX 2480
BELLINGHAM

FL 33022-2480

WBW-12984 S4-02P16362

SB-516

TO: (PLEASE PRINT)

PHONE ()

MAIL STOP - BCT
COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA VA 22311-1450FOR PICKUP OR TRACKING: Visit www.usps.com or Call 1-800-222-1811

BEST AVAILABLE COPY



PATENT NO. WBW 12984 Mailed April 11, 2005...
APPLIC. NO. *PCT/1702/00306* Express Mail EV 577604704 US

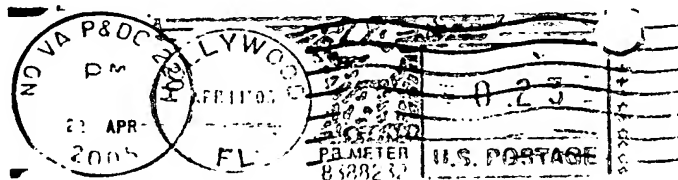
The stamp of the Patent Office hereon may be considered the date on which papers indicated below were received.

10/530969

☒ PCT ☐ dwgs. ☒ Mail. Cert.
Compl. 2004/032006 ☒ Search Report
☒ Prel. Int. Exam. Report ☒ Fee Calc. Sheet
☒ Orig. PCT Applic. *13* pgs. ☒ PCT Transmittal Letter
☒ Transl. *10* pgs. ☒ Declaration signed / unsigned
☒ Prel. Amendment *(14)* ☒ Check *\$ 4,050.00*
PDS, IDS (14), Transl. for basis of
Prel. Amend. 20 Pages

(Patent Office, Please stamp and return to addressee on reverse side.)

JC03 Rec'd PCT/PTO 11 APR 2005



LERNER AND GREENBERG, P.A.
P.O. Box 2480
Hollywood, FL 33022-2480

2480



BEST AVAILABLE COPY



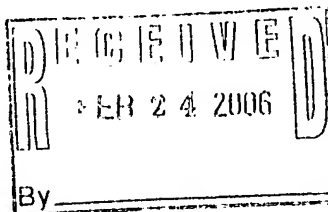
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1430
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/530,969	10/13/2005	1614	590	WBW-12984		21	2

CONFIRMATION NO. 3217

24131
 LERNER GREENBERG STEMER LLP
 P O BOX 2480
 HOLLYWOOD, FL 33022-2480



FILING RECEIPT



OC000000018047245

Date Mailed: 02/21/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Ernst Hesse, Fieberbrunn, AUSTRIA;
 Gerhard Hantich, Kitzbuhel, AUSTRIA;
 wolfgang H. Nitschmann, St. Johann I. T., AUSTRIA;
 Helmut Scheidl, Fieberbrunn, AUSTRIA;

Power of Attorney: The patent practitioners associated with Customer Number **24131**.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/AT03/00306 10/09/2003

Foreign Applications

AUSTRIA A 1540/2002 10/10/2002

Projected Publication Date: 05/25/2006

Non-Publication Request: No

Early Publication Request: No

Title

Nasally applicable pharmaceutical preparation and the production thereof

BEST AVAILABLE COPY

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

BEST AVAILABLE COPY

- The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

BEST AVAILABLE COPY